

### REMARKS

Currently claims 1-24 are presently pending in the above-identified application. By this Amendment, claims 1, 12, 22 and 23 are amended, no new claims are added and no claims are cancelled.

The Applicants appreciate the courtesies extended to Applicant's representative during the April 10 personal interview, the substance of which has been incorporated into this response.

#### I. Claim Rejections Under 35 U.S.C. §§102 and 103

The Examiner has rejected claims 1-5, 8-12, 15-16 and 21-24 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,440,887 to Nishizato et al. (hereinafter Nishizato); and rejects claim 6 under 35 U.S.C. § 103(a) U.S.C. 103(a) as allegedly being unpatentable over Nishizato as applied to claims 1-5, 8-12, 15-16 and 21-24 above, in view of U.S. Patent No. 6,224,6812 to Sivaramakrishnan et al. (hereinafter Sivaramakrishnan); and rejects claims 7 and 20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nishizato as applied to claims 1-5, 8-12, 15-16 and 21-24 above, in view of U.S. Patent No. 5,776,254 to Yuuki et al. (hereinafter Yuuki); and rejects claims 13-14 and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over Nishizato as applied to claims 105, 8-12, 15-16 and 21-24 above, in view of U.S. Patent No. 4,847,469 to Hofmann et al. (hereinafter Hofmann); and rejects claims 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nishizato. These rejections are respectively traversed.

Applicants submit that in dramatic contrast to the claimed invention, none of the asserted references, whether taken alone or in combination, at least disclose, teach or suggest each and every element of the claimed invention, for example independent claim 1, including the features identified above. That is, as best understood there is simply nothing in any of the applied references, that remotely suggests independent control of the communication between said liquid storing chamber and said vaporizing chamber whereby the independent control is achieved by an actuator that opens up and closes and end of said small aperture opening adjacent to said vaporizing chamber, as required by for example independent claim 1.

Instead, Nishizato, appears to use a combination of mechanisms which are driven in a unitary arrangement *to collectively operate* the flow rate valve 7 and the vaporization valve 12 the driver unit 25. See, for example, Nishizato, column 5, lines 15-20. Furthermore, Nishizato goes on to describe one of its central advantages is the *unitary design whereby the*

*liquid vaporizer – feeder is designed according to the flow rate control valve 7 and the vaporization valve 12 being unitized*, that allows for among other things the dimension of the connecting through hole to be significantly reduced. See, for example, columns 6 lines 21-26.

For at least these reasons, Applicants submit that none of the asserted references, whether taken alone or in reasonable combination, at least disclose, teach or suggest the claimed combination of elements recited by for example amend claim 1. Furthermore, none of the other references when combined with Nishizato, make up for the deficiencies with regards to Nishizato and so similarly Applicants claimed invention is at least distinguishably over any such reasonable combination based on Nishizato for at least above reasons. As such, claim 1 and similarly claims 12, 22, 23 and 24 are clearly patentable. Because claims 2-11, 13-21 depend from claim 1, claims 2-11 and 13-21 are at least patentable by virtue of dependency, as well as for the additional features that they recite. Accordingly the immediate withdrawal of the prior art rejections of claims 1-24 is respectively requested.

## II. Conclusion

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, and the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains an issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,



PILLSBURY WINTHROP SHAW PITTMAN LLP  
WILLIAM D. TITCOMB

Reg. No. 46463

Tel. No. 703.770.7847

Fax No.

Date: April 25, 2007  
P.O. Box 10500  
McLean, VA 22102  
(703) 770-7900